

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 9666

PERMIT 5421

LICENSE 2706

ORDER ALLOWING CHANGE IN POINT OF DIVERSION

WHEREAS License 2706 was issued to Oakdale Irrigation District and was filed with the County Recorder of Stanislaus County on October 17, 1944, and

WHEREAS the State Water Resources Control Board has found that the change in point of diversion under said license for which petition was submitted on September 29, 1970, will not operate to the injury of any other legal user of water, and

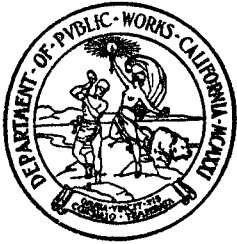
WHEREAS the Board has approved and allowed said change and has directed that an order be issued to describe said points of diversion in accordance with said petition;

NOW THEREFORE IT IS ORDERED that permission be and the same is hereby granted to change the point of diversion under said License 2706 to be described as follows, to wit:

1. NORTH TWENTY DEGREES, TWENTY-FIVE MINUTES EAST (N 20° 25' E) FOUR HUNDRED (400) FEET FROM THE SW CORNER OF SECTION 9, T2S, R10E, MDB&M BEING WITHIN THE SW $\frac{1}{4}$ OF SW $\frac{1}{4}$ OF SAID SECTION 9, ON THE SOUTH SIDE OF THE STANISLAUS RIVER.
2. NORTH TWENTY-EIGHT DEGREES, TEN MINUTES EAST (N 28° 10' E) ELEVEN HUNDRED TWENTY (1120) FEET FROM THE SW CORNER OF SECTION 9, T2S, R10E, MDB&M, BEING WITHIN THE SW $\frac{1}{4}$ OF SW $\frac{1}{4}$ OF SAID SECTION 9, ON THE NORTH SIDE OF THE STANISLAUS RIVER.

K. L. Woodward
K. L. Woodward, Chief
Division of Water Rights

Dated: MAR 22 1971



STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER

License for Diversion and Use of Water

LICENSE 2706

PERMIT 5421

APPLICATION 9666

THIS IS TO CERTIFY, That **Oakdale Irrigation District**
Oakdale, California

has made proof as of **June 17, 1943,**

(the date of inspection) to the satisfaction of the State Engineer of California of a right to the use of the waters of
Stanislaus River in Stanislaus County

tributary to **San Joaquin River**

for the purpose of **irrigation use**
under Permit **5421** of the Department of Public Works and that said right to the use of said waters has
been perfected in accordance with the laws of California, the rules and regulations of the Department of Public Works
and the terms of the said permit; that the priority of the right herein confirmed dates from **July 17, 1939;**

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited
to the amount actually beneficially used for said purposes and shall not exceed **one and sixty-eight hun-**
dredths (1.68) cubic feet per second from about May 1 to about November 1 of
each season. In case of rotation the equivalent of such continuous flow allow-
ance for any thirty day period may be diverted in a shorter time if there be no
interference with other vested rights.

This license is based on the use of water made during the year 1942 which
was the year of maximum use within the three year period immediately preceding
the date of inspection, namely June 17, 1943.

The point of diversion of such water is located North twenty degrees, twenty-five minutes
East (N. 20° 25' E.) four hundred (400) feet from the Southwest corner of Section 9,
T 2 S, R 10 E, M.D.B.&M., being within the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section 9 on the
South side of Stanislaus River.

A description of the lands or the place where such water is put to beneficial use is as follows: **Irrigation of**
457.6 acres within Oakdale Irrigation District in Sections 8, 9, 16 and 17,
T 2 S, R 10 E, M.D.B.&M. (253.0 acres located on the North side of Stanislaus
River and 204.6 acres located on the South side of said river) all as shown on
map entitled "Brady Pump Site" filed with the Division of Water Resources.

All rights and privileges under this license including method of diversion, method of use and quantity of water
diverted are subject to the continuing authority of the Department acting through the State Engineer in accordance
with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or
unreasonable method of diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from
time to time by the State Engineer.

The right to the diversion and use of the water aforesaid hereby confirmed is restricted to the point of diversion
herein specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the Department.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property can not agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Witness my hand and the seal of the Department of Public
Works of the State of California, this 26th
day of September, 1944.

EDWARD HYATT, State Engineer



By Harold Conkling
Deputy State Engineer

LICENSE 2706

STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER

LICENSE
TO APPROPRIATE WATER

SUED TO Oakdale Irrigation District

DATED September 26, 1944